

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**UNITED STATES OF AMERICA,
ex. rel. JANAKI RAMADOSS, et al.,**

Plaintiffs,

v.

CAREMARK INC., et al.,

Defendants.

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No. SA 99CA0914RF

**SPECIAL MASTER'S RECOMMENDATIONS REGARDING
JOINT MOTION OF PLAINTIFF, THE STATE OF TEXAS, AND DEFEDANTS
CAREMARK RX, INC. AND CAREMARK, INC. TO SCHEDULE A HEARING
ON THE PRODUCTION OF INFORMATION RELATING TO PHARMACY
BENEFIT MANAGEMENT COMPANIES OTHER THAN CAREMARK**

TO THE HONORABLE JUDGE FERGUSON:

Before the Special Master is the Joint Motion of Plaintiff, the State of Texas, and Defendants, Caremark RX, Inc. and Caremark, Inc., to Schedule a Hearing on the Production of Information Related to Pharmacy Benefit Management Companies Other Than Caremark [Doc. No. 302]. The Motion requests that PBMs other than Caremark be given due notice and an opportunity to be heard concerning whether their information should be produced to Caremark. The Special Master concludes that due notice and an opportunity to be heard has been given to the PBMs other than Caremark incorporated into the Joint Motion. The Special Master conducted an oral hearing on this motion, and based on the hearing, arguments of counsel, and papers filed before the Special Master is of the opinion that the Motion should be granted.

THEREFORE, the Special Master RECOMMENDS that the Court find that the PBMs listed on Exhibit C to the Joint Motion have been given due notice and an opportunity to be heard. The Special Master further RECOMMENDS that the Court order the production as provided in the Texas Medicaid Fraud Prevention Act and as requested in the Joint Motion.

DATE:

February 5, 2008

Karl Bayer
KARL BAYER, SPECIAL MASTER

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of February, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to counsel of record in this action.

/s/ Karl Bayer
Karl Bayer